UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/319
21 March 1994

ORIGINAL: ENGLISH

LETTER DATED 21 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statement by the Spokesman for the General Department of Atomic Energy of the Democratic People's Republic of Korea, made public on 18 March 1994.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement dated 18 March 1994 by the Spokesman for the General Department of Atomic Energy of the Democratic People's Republic of Korea

The Democratic People's Republic of Korea accepted the International Atomic Energy Agency (IAEA) inspection from 1 to 15 March 1994, which was necessary for the continuity of safeguards in accordance with the Agreed Conclusions of the Democratic People's Republic of Korea/United States of America New York Talks of 25 February 1994. The recent inspection was aimed exclusively at maintaining the continuity of safeguards, proper for the unique status of the Democratic People's Republic of Korea characterized by the temporary suspension of its declared withdrawal from the Nuclear Non-Proliferation Treaty.

At the bilateral consultations at Vienna on 15 February 1994 the IAEA secretariat accepted that the agreed inspection would be an inspection needed for maintaining the continuity of safeguards and reached agreement with us on the scope of such inspection. Therefore, on the basis of our desire to implement in good faith both the Agreed Conclusions and the Democratic People's Republic of Korea/IAEA agreement throughout the presence of the inspection team, we have permitted all the inspection activities within the scope needed for maintaining the continuity of safeguards and provided the inspection team with our unreserved cooperation for its work.

Consequently, the Agency's inspection team was able to carry out satisfactorily all the activities in the nuclear facilities of the Democratic People's Republic of Korea, as specified in the Vienna agreement of 15 February, including the reloading and servicing of containment and surveillance devices, the verification of physical inventories, the examination of a number of records and documents, verification of the design information, sampling and measurements. While the recent inspection was proceeding, however, the Agency secretariat and the inspection team unilaterally claimed that their inspection was a Safeguards Agreement-bound inspection, not an inspection necessary for providing the continuity of safeguards. They pressed inordinate demands that would make their inspection equivalent to routine and ad hoc inspections, a wanton violation of what was agreed to in the Vienna agreement of 15 February.

The Agency secretariat gave the inspection team instructions inconsistent with the Vienna agreement and took inaccurate reports from the inspection team at face value as a fait accompli. They insisted on making unreasonable demands for sampling from locations where seals as the means of containment remain unbroken, gamma mapping at most of the points, instead of a few selected points, and even verification of cooling systems, which the Vienna consultations had never dealt with. In addition, the Agency secretariat went as far as to threaten us with telex messages three times, saying that it "will have to report to the Board of Governors that the Agency is not in a position to verify non-diversion of nuclear material", unless its demands are met.

On the other hand, the inspection team members during their stay in our country found themselves helpless when the operators gave them logically reasonable explanations with regard to the requested sampling from locations where seals remain unbroken, and excused themselves for their demands, saying "it cannot be helped because this is the task from the Agency secretariat". Moreover, even after they confirmed firsthand the maintenance of the original seals they put in place last August, they made an illogical case, saying that "we cannot believe the integrity of the one-year-old seals".

The unjust demands of the Agency secretariat, including requests for sampling from the input accountability tank contained by the Agency's seals, have no relevance at all to the aim and character of the recent inspection designed to verify the absence of nuclear activities, and constitute a flagrant violation of the Vienna agreement of 15 February.

During the inspection, we showed flexibility as an expression of our good will by agreeing to the impertinent demands from the IAEA secretariat, including sampling at some locations where containment devices remain intact and gamma mapping at all the necessary points. Therefore, the recent inspection activities performed by the IAEA inspection team are sufficient to enable the Agency to fully verify non-diversion of nuclear material at our nuclear facilities and definitely ensure the continuity of safeguards as well.

In fact, the receiving stage and major processes at the Radiochemical Laboratory remain controlled by dozens of IAEA seals, surveillance cameras and IAEA tracer chemicals, so that the facility is placed under the Agency's double and triple containment control.

Notwithstanding this fact, before the analysis of the inspection results were available, the IAEA secretariat announced its unjust conclusion that "although many of the agreed inspection measures were carried out as envisaged, some other activities were restricted at the Radiochemical Laboratory" and "the Agency was not in a position to verify that there had been no diversion of nuclear material at the facility". And the secretariat is making a dust-up by scheduling a meeting of the IAEA Board of Governors on this matter. This is an utterly unjustifiable action of openly revoking the Democratic People's Republic of Korea/United States of America Agreed Conclusions and the Democratic People's Republic of Korea/IAEA agreement with respect to the continuity of safeguards, and there can be no justification for this action in any case.

All the facts demonstrate that the Agency secretariat has been further widening its partiality and still continues pursuing its ill-disposed political purposes under the manipulation of the United States in an attempt to strangle the Democratic People's Republic of Korea. If the IAEA secretariat sincerely wants a fair resolution of our "nuclear issue", it must rescind the unreasonable assessment it had rushed to with regard to the result of the recent inspection.

We will wait and see what attitude the Agency secretariat takes at the forthcoming meeting of the Board of Governors, and on the basis of its attitude, we will judge whether the secretariat intends to seek a fair resolution of our "nuclear issue" or whether it intends to continue using the issue for its political purposes. If the IAEA secretariat tries to provoke us in an attempt

to launch another pressure kickup against the Democratic People's Republic of Korea, we will have no other alternative but to respond with our resolute countermeasures.